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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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THOMAS K. SMALL, et al.,

03 Civ. 1872 (AR) (VP)

Plaintiffs,

- against -

**STIPULATION OF DISMISSAL**

GENERAL NUTRITION COMPANIES, INC.,

Defendant.

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Plaintiffs and Defendant, by and through their respective attorneys, hereby agree to dismiss the instant action with prejudice pursuant to Rule 41 of the Federal Rules of Civil Procedure. Each side agrees to bear its own costs and attorneys' fees, and waives any right to appeal.

Dated: August 26, 2005

HOLLAND & KNIGHT LLP

LAW OFFICE OF MARTIN J. COLEMAN

By: 

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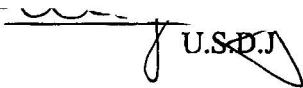
By: 

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Attorneys for Defendant

Attorneys for Plaintiffs

SO ORDERED:

  
U.S.D.J.